

**CT Sentencing Commission**  
*Meeting*  
*Central Connecticut State University Bellin Room*  
Thursday, February 24, 2011  
2:00 – 4:00 PM

**MINUTES**

I. Welcoming Remarks by Chairman Judge Shortall

Welcomes members to first meeting of the commission.

II. Introductions

Judge Shortall - Chairman  
David Shepack  
Thomas Ullmann  
Bob Farr  
Leo Arnone  
Maureen Price-Boreland  
Vivien Blackford  
Susan Pease  
Kevin Kane  
Lt. Col. Gene Labonte (for Reuben Bradford)  
Michael Norko, M.D. (for Patricia Rehmer)  
Peter Gioia  
Susan Storey  
Merit Lajoie (for Michelle Cruz)  
Justice Borden  
Mike Lawlor  
William Carbone  
Judge Devlin  
Judge Carroll  
Judge White  
John Santa

III. Statement by Mike Lawlor

Mr. Lawlor discussed the theory behind the creation of the Sentencing Commission in CT, including the original ideas for developing the commission and the history behind its conception. He also discussed the Sentencing Task Force's history and noted members of the current commission who had served on the earlier task force. Mr. Lawlor went over the mandates of the commission, noted that research is key

and that the accumulation of good data is extremely important. He particularly noted that CISS is working with DOC. Mr. Lawlor discussed possible directions that the commission could go in (sentence discrepancies, penal code classifications, pretrial v. sentenced population) and went over the various goals for the organization. For short-term goals, he expressed the need to elect vice chair and approaching how to fund the commission. Medium-term goals primarily involved a sentencing database that needs to be developed. In the long term Mr. Lawlor expressed a variety of options, including training on sentencing issues for people working in the criminal justice system and fiscal impact statements on proposals that legislature creates.

#### IV. Mark Bergstrom, PA Commission on Sentencing

Mr. Bergstrom talked about the history of the PA Commission on Sentencing and discussed the differences and similarities between it and the CT Sentencing Commission. He emphasized the need for the commission to be a “fair broker” – to bring people together in dealing with issues. Mr. Bergstrom noted the importance of good data and research in a successful commission, and described the PA commission’s work with various in-state law schools. He suggested consulting with the Missouri, Oregon and Virginia sentencing commissions, touting them as successful examples. He particularly encouraged the design of paperless tracking and information systems, and finally emphasized that success as a commission comes out of reliability, purpose, and corrections over time.

#### V. Shepack/Ullman Presentation – CT Sentencing Task Force 2006-2009

Mr. Shepack spoke about the history of the task force, explaining that it had been created with a finite life and 35 members from all over the judicial system. He noted that it had a very “deep bench” with a great deal of experience. It was surprising that very early on there was a large area of consensus in the task force, and Mr. Shepack stated that they made a lot of progress on completing short-term goals and identifying medium-term and long-term goals. However, he explained that the task force was confronted with anecdotal data based on anomalies and a distinct lack of hard data. The task force was concerned about unclassified offenses, as well as unusual use of classifications. Unfortunately, an attempt to reconcile these issues was unable to be completed in the allotted time frame. Mr. Shepack concluded by noting that there is still a need for more information on incarceration.

Mr. Ullmann described how following the Cheshire tragedy, everything changed, and a new impetus was placed on the task force. Many of the task force’s questions could not be answered at that time. Mr. Ullmann described how they learned that sentencing commissions existed, and noted that some were successful and a few failed – the task force gathered information about them. Eventually a proposal was created as well as a report giving reasons for creating the commission and explanations on how it would work. Mr. Ullmann noted that the task force had been

uniformly opposed to sentencing guidelines as a goal, but rather aspired to make a “sounding board” for those that need it.

#### VI. Presentation on Potential Research Partnership

Chairman Judge Shortall noted that there is little staff for the Commission currently, but the law schools are ready to assist. CCSU and the University of New Haven have also given statements in support of the commission.

#### VII. Commission Vote

Chairman Judge Shortall asked for two informal approvals. First, if there was no objection, he would work with Mike Lawlor to seek funding through grant applications, etc. No objections were expressed. Mr. Kane asked that the commission be made aware of which avenues will be pursued. Chairman Judge Shortall agreed, and noted that the commission also needed to work to develop subcommittees. If there was no objection, he would create a research subcommittee to work with university researchers. No objections were expressed.

#### VIII. Member General Discussion

Justice Borden made the first suggestion, noting that for a commission to succeed, staff is vitally important. He suggested that funding be sought to hire dedicated Commission staff. Justice Borden also suggested that the most important thing to be kept in mind is an open attitude for all members of the commission, given the disparate political and experiential backgrounds. Chairman Judge Shortall was struck by consensus found on the Sentencing Task Force, noting that he believed it was due to their entering the task with that state of mind.

Mr. Andrew Clark stated that he was willing to lend the support of the Institute for Municipal and Regional Policy at CCSU. Mr. Gioia noted that part of the problem seemed to be an accounting and/or IT issue. He believed that there might be resources for interdisciplinary assistance in information gathering.

Chairman Judge Shortall then introduced Mr. Shawn Thakkar and expressed that he would like to have Mr. Thakkar talk at length at the next meeting. Mr. Thakkar thanked Chairman Judge Shortall for the opportunity and described his work for a new program (CJIS). He explained how it was built off of a current system (OBTS) which has about 1.9 million offenders, 21,000 inmates, and 189 mil pieces of data in its database. He noted that it does not have the entirety of data needed, but is “robust.” Mr. Thakkar expressed that when the new system is started it will augment the current system, but OBTS is a good start.

Mr. Lawlor joked that CBIA can supply actuaries – and then expressed seriously how it may be an interesting way to advance the work. Chairman Judge Shortall declared that the business community has had some very interesting observations about the

criminal justice system, making note of a recent CJPAC presentation [available online].

As a final thought Chairman Judge Shortall explained that the job of the commission members will be to formulate the questions that should be put to these institutions working with the commission. He especially emphasized a need to know what was desired in terms of data and research. Chairman Judge Shortall preferred that all committee members, rather than subcommittee, have an opportunity to formulate these research questions in the first instance, perhaps with a subcommittee formed to refine and expand on the initial questions.

#### IX. Next Meeting

The next meeting will take place on April 28, 2011.

#### X. Adjournment